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\*Practice Limited to  
Federal Agencies

September 2, 2003

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SEP 03 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Technology Center 2600

Art Unit 2631

Re: U.S. Patent Application  
Appl. No. 09/973,875; Filed October 11, 2001  
For: **Cable Modem System And Method For Supporting Extended  
Protocols**  
Inventor(s): BUNN et al.  
Our Ref: 1875.0650001

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Second Supplemental Information Disclosure Statement;
2. Form PTO-1449 listing **FOUR (4)** documents (1 page);
3. Copies of the **FOUR (4)** cited documents as listed on Form PTO-1449; and
4. One (1) return postcard.

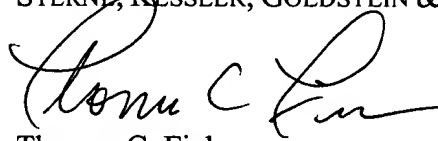
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
September 2, 2003  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Thomas C. Fiala", written over the printed name.

Thomas C. Fiala  
Attorney for Applicants  
Registration No. 43,610

TCF/mjg  
Enclosures  
SKGF\_DC1:173834.1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BUNN et al.

Appl. No. 09/973,875

Filed: October 11, 2001

For: **Cable Modem System And Method  
For Supporting Extended Protocols**

Confirmation No. 7066

Art Unit: 2631

Examiner: *To be Assigned*

Atty. Docket: 1875.0650001

**Second Supplemental Information Disclosure Statement**

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Technology Center 2600

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application

does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☒ 1. This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR **before the mailing date of a first Office Action on the merits** OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
  - ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
  - ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
  - ☐ c. Attached is our Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice

of Allowance, but before payment of the Issue Fee. Enclosed find our Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

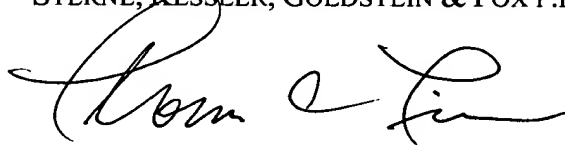
- ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 4. Documents were cited in search reports by a foreign patent office in counterpart foreign applications. Submission of an English language version of the search reports that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☐ 5. A concise explanation of the relevance of the non-English language document(s) appears below:
- ☐ 6. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. \_\_\_\_\_, filed \_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Tom Fiala", written over the printed name of the attorney.

Thomas C. Fiala  
Attorney for Applicants  
Registration No. 43,610

Date: 9/2/03

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FORM PTO-1449

**SECOND SUPPLEMENTAL**  
**INFORMATION DISCLOSURE STATEMENT**ATTY. DOCKET NO.  
1875.0650001APPLICATION NO.  
09/973,875

APPLICANT: BUNN et al.

FILING DATE:  
October 11, 2001

GROUP: 2631

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA1						
	AB1						
	AC1						
	AD1						
	AE1						
	AF1						
	AG1						
	AH1						
	AI1						
	AJ1	2002/0073227	06/13/2002	Bunn et al.			
	AK1	2002/0062394	05/23/2002	Bunn et al.			

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**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION
	AL1						Yes No
	AM1						Yes No
	AN1						Yes No
	AO1						Yes No
	AP1						Yes No

**OTHER (Including Author, Title, Date, Pertinent Pages, etc.)**

	AR	<u>1</u>	
	AS	<u>1</u>	
	AT	<u>4</u>	

EXAMINER

DATE CONSIDERED

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



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**SECOND SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT**ATTY. DOCKET NO.  
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**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA2	2002/0106029	08/08/2002	Bunn et al.			
	AB2	2002/0049861	04/25/2002	Bunn et al.			
	AC2						
	AD2						
	AE2						
	AF2						
	AG2						
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	AI2						
	AJ2						
	AK2						

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	AL2						Yes No
	AM2						Yes No
	AN2						Yes No
	AO2						Yes No
	AP2						Yes No

**OTHER (Including Author, Title, Date, Pertinent Pages, etc.)**

	AR	2	
	AS	2	
	AT	2	

EXAMINER

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